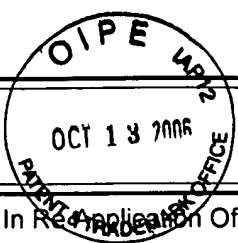


AF22W



TRANSMITTAL LETTER
(General - Patent Pending)

Docket No.
STS-P024-01

In Reply, Please Refer to: **Robert W. Rodenbeck et al.**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/803,434	03/18/2004	Brown, V.	27268	2635	5439

Title: **WIRELESS SECURITY CONTROL SYSTEM**

COMMISSIONER FOR PATENTS:

Transmitted herewith is:

Reply Brief

in the above identified application.

- ☐ No additional fee is required.
- ☐ A check in the amount of _____ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. **02-0390** as described below.
 - ☐ Charge the amount of _____
 - ☐ Credit any overpayment.
 - ☒ Charge any additional fee required.
- ☐ Payment by credit card. Form PTO-2038 is attached.


WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.



Signature

Dated: 10/10/06

Ryan C. Barker
Reg. No. 47,405
BAKER & DANIELS, LLP
300 N. Meridian St., Suite 2700
Indianapolis, IN 46204
(317)237-1194
Facsimile (317) 237-1000

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on October 10, 2006 (Date)	
	
Signature of Person Mailing Correspondence	
Loretta L. Allemenos	
Typed or Printed Name of Person Mailing Correspondence	

cc:



PATENT
Attorney Docket No. STS-P024-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of

Applicants:	Rodenbeck et. al.)	
)	Group Art Unit: 2635
Application No.:	10/803,434)	Examiner: Brown, V
)	
Filed:	March 18, 2004)	
)	
For:	WIRELESS SECURITY)	
	CONTROL SYSTEM)	

REPLY BRIEF

Mail Stop Appeal Brief-Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Responsive to the Answer, which was mailed on August 9, 2006, Appellants submit the following Reply Brief under 37 C.F.R. § 41.41.

Kniffin and Pinzon

Applicants first wish to note that the Examiner's Answer (hereinafter, "the Answer") continues to contradict itself. The Answer, in attempting to make a combination to reject claim 1, states on page 4, last paragraph, that "Kniffin et al. is however silent on teaching access information is transmitted to the access control system independent of any user making a request to unlock the door." This is followed in the next paragraph with "Kniffin et al. suggest programming the locking mechanism with the access code when access is requested." Accordingly, the Answer continues to change interpretations mid-stream to achieve a desired outcome driven by apparent hindsight reconstruction.

The Answer, on page 13, attempts to respond to the Appellants' brief by stating, "Kniffin also teaches wirelessly pre-programming the identities of the person allow (sic) to pass through a door (col. 5, lines 40-50). Kniffin teaches the pre-programming is

done on a periodically (sic) basis (e.g. daily) so that an authorized user can gain access upon presentation of his/her identification without prior contacting the clearinghouse (col. 5 lines 53-63)." The quoted passage first omits discussion of the first sentence of the cited col. 5, lines 40-50 and then interprets the second citation, col. 5, lines 53-63, to add matter that is not present in the cited passage.

First, col. 5, lines 40-42 state "It will be recognized that one application or the foregoing radio authorized access control technology is implementation of "Star-Trek"-type doors." (emphasis added) Accordingly, the cited embodiment is an application of the previously described radio authorized access control technology. This radio authorized access control technology is the technology that teaches programming the locking mechanism with the access code in response to a previous user request for access. Accordingly all access updates, periodic or non-periodic, are done because of a previous request for access. Thus, rather than relyin on the foregoing teaching, as stated in Kniffin, the Answer fills in the non-existent "blanks" with hindsight based on the Applicants' claims.

Second, the Answer states that "an authorized user can gain access upon presentation of his/her identification without prior contacting the clearinghouse (col. 5 lines 53-63)." The cited passage states,

"The door's memory can be reprogrammed with updated authorization data daily, or at such other interval as may be appropriate. A user's authorization can remain valid until the lock is next radio-reprogrammed, at which time the user must be reauthorized if the user's access rights are to continue. In the preferred form of the foregoing embodiment 10, the system is not limited to authorizing just a single key for a given lock at any given time. Instead, the system can authorize a plurality of keys for a given lock, either all for the same time window or for overlapping time windows." (Kniffin, col. 5 lines 53-63)

Nothing in this citation states that access is gained "without prior contacting the clearinghouse" as claimed by the Answer. This sentence is added in the Answer without any support from the underlying passage. Again, the Answer uses impermissible hindsight reconstruction to fill in the "blanks" that do not exist.

Kniffin, Pinzon, and Goldman

The Answer continues to fail to address all limitations of claim 3. In addition to claim 3 requiring the antenna to be mounted on the outer portion that is mounted to an

outside of the door, claim 3 requires the remote wireless communicator and remote access controller to be mounted to the inner portion of the housing that is mounted on an inside of the door. The Answer, even in the section responding to Applicants' arguments, fails to discuss any teaching of having the remote wireless communicator and remote access controller being mounted to a portion of the housing on an inside of the door, and that the remote wireless communicator and remote access controller are on an opposite side of the door from the antenna. Accordingly, the Answer continues to fail to make a case of *prima facie* obviousness.

Furthermore, the Answer fails to cure the lack of a motivation to combine locks with exterior mounted antenna of mobile phones. The Answer states that "[o]ne skilled in the art further recognizes that an antenna is sometimes mounted on the outer portion of a housing," but fails to show why one would be motivated to apply an external mounted antenna to the proposed references. Thus, the Answer continues to fail to provide a *prima facie* case of obviousness.

Kniffin and Denison

In response to Applicants' arguments regarding claim 6, the Answer states that "Kniffing further teaches a wired communication means as a suitable **alternative** to wireless and optical communications means... The reference of Denison et al. is further relied upon for teaching providing updates using a wired port ... which is consider an **alternative** to the wireless port of Kniffin. (The Answer, p. 14, lines 12-16)(emphasis added). This agrees with the arguments put forth by the Applicants, that wired communication is provided as an alternative, not as an addition, to wireless by the cited references. Claim 6 requires that wired communication be provided in addition to wireless. The cited references fail to teach or suggest such a combination.

No New Issues

This Reply Brief raises no new issues. Thus, the Applicants request that this matter proceed to the Board without further briefing.

Oral Hearing

The Applicants do not request an oral hearing.

Conclusion

For the foregoing reasons, Appellants respectfully submit that Claims 1-16 and 27-29, in addition to allowed claims 18-26, are patentable, and request reversal of the rejections of the claims in the present application.

In the event Appellants have inadvertently overlooked the need for an extension of time, an additional extension of time, payment of fee, or additional payment of fee, Appellants hereby conditionally petition therefor and authorize that any charges be made to Deposit Account No. 02-0385, BAKER & DANIELS LLP.

In view of the above, Applicants respectfully submit that the present application is in order for allowance and respectfully request the Honorable Board of Appeals to direct the withdrawal of the rejections of the Final Official Action and the issuance of a Notice of Allowance.

Respectfully submitted,



Ryan C. Barker
Reg. No. 47,405

Attorney for Applicants

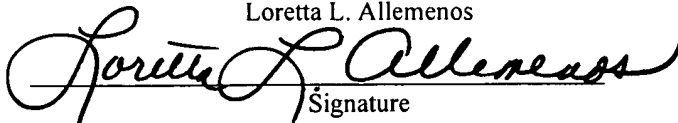
RCB

BAKER & DANIELS LLP
300 North Meridian, Suite 2700
Indianapolis, IN 46204
Telephone: 317.237.8690

CERTIFICATION OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: MAIL STOP APPEAL BRIEF-PATENTS, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on October 10, 2006

Loretta L. Allemenos


Signature

Date

BDDDB01 4547211v1